

PATENT  
B588-034 (25815.036)

### REMARKS

Claims 30, 32, 38, 40, 42 and 43 have been amended. Claims 31, 37, 39 and 41 have been canceled without prejudice or disclaimer of the claimed subject matter.

The Examiner has rejected applicants' claims 30-31, 34-36 and 41 under 35 USC § 112, second paragraph, as failing to particularly point out and distinctly claim applicants' invention. In particular, the Examiner has questioned the phrase "that the user touches with a finger of the plurality of menu items" recited in claims 30-31 and 34-36. The Examiner has also pointed to certain language in claim 41 which the Examiner argues is indefinite.

Claims 31 and 41 have been canceled, thereby obviating the Examiner's rejection with respect to these claims. As regards the recitation in claim 31 "haptic information acquisition unit configured to acquire haptic information of the user on the basis of a position of the menu item that the user touches with a finger of the plurality of menu items presented by said menu presentation unit", applicants believe that the recitation is clear. In particular, in the phrase "position of the menu item that the user touches with a finger of the plurality of menu items presented by said menu presentation unit", the recitation "of the plurality of menu items presented by said presentation unit" is understood to modify the term "menu item" and not the term "finger." Thus, the recitation is believed to be understandable and not indefinite.

Accordingly, applicants' claims are believed to particularly point out and distinctly claim applicants' invention in compliance with the provisions of 35 USC § 112, second paragraph.

The Examiner has rejected applicants' claims 30, 35, 37, 39, 40 and 41 under 35 U.S.C. §102(e) as being anticipated by the Hinoue, et al. patent (US patent No. 6,879,710). Claims 31-34, 36, 38 and 40 have been rejected under 35 U.S.C. §103(a) as being

PATENT  
B588-034 (25815.036)

unpatentable based on the latter patent taken with the Rosenberg, et al. patent (US Patent No. 6,429,846). Finally, claims 42 and 43 have also been rejected under 35 U.S.C. §103(a) as being unpatentable based on the Hinoue, et al. patent taken with the Liu, et al. patent (US Patent No. 5,804,462) and the Yu reference (US Published Patent Application No. 2004/0025029). With respect to applicants' claims, as amended, these rejections are respectfully traversed.

Applicants' independent claim 30 has been amended to better define applicants' invention. In particular, amended claim 30 recites an information input/output apparatus for controlling an operation of a target apparatus on the basis of a user authentication result associated with a user who operates the target apparatus, comprising: a menu presentation unit configured to present a list of a plurality of menu items used to execute an operation of the target apparatus; a haptic information acquisition unit configured to acquire haptic information of the user on the basis of a position of the menu item that the user touches with a finger of the plurality of menu items presented by said menu presentation unit; a user authentication unit configured to authenticate the user on the basis of the haptic information acquired by said haptic information acquisition unit; and a haptic information output unit configured to output information perceivable by the user upon user's touching the haptic information output unit with the finger and arranged at the position of the plurality of menu items.

Independent claims 32, 38, 40, 42 and 43 have similar features and have been similarly amended. These features are supported by the description in applicants' specification at page 71, line 17, through page 75, line 22 and in FIG. 22.

Such a construction is not taught or suggested by the cited art of record. More particularly, the Hinoue, et al. patent in FIG. 7 discloses a screen 71 which encourages input

PATENT  
B588-034 (25815.036)

of a secret number upon touching a secret number input area 72. The screen 71 is displayed on a display/data reading screen 59 of a display/fingerprint reading unit 34. According to the method of the Hinoue, et al. patent, as well as the secret number, a fingerprint is inputted upon touching the secret number input area 72 (See, Column 11, lines 8-9). As indicated in Column 11, lines 24-27, the inputted secret number is used for verification against a previously registered secret number and this verification is performed only once.

In contrast to Hinoue, et al patent, in applicants' above amended claims both an authentication based on the acquired haptic information and an execution of an operation of a target apparatus are performed upon user's touching a haptic information output unit arranged at a position of a plurality of menu items. This authentication is performed every time the user touches the menu items because the haptic information output unit is arranged at the position of the menu items.

It is not believed that the Hinoue, et al. patent teaches or suggests an arrangement in which both the performing of an authentication based on haptic information and the executing of an operation of a target apparatus occur upon user's touching a menu of items, since the acquired secret number in the Hinoue, et al. patent is not be used for executing an operation of the target apparatus (see, Column 11, lines 33-36). Moreover, the Hinoue, et al patent does not teach or suggest performing authentication based on the haptic information every time the user touches the menu items.

The Hinoue, et al. patent thus fails to teach or suggest the invention of applicants' amended claims, and their respective dependent claims. The Rosenberg, et al. patent, the Liu, et al. patent and the Yu reference fail to add anything to the Hinoue, et al. patent to change this conclusion.


PATENT  
B588-034 (25815.036)

In view of the above, it is submitted that applicants' claims, as amended, patentably distinguish over the cited art of record. Accordingly, reconsideration of the claims is respectfully requested.

Dated: June 13, 2006

Cowan, Liebowitz & Latman, P.C.  
1133 Avenue of the Americas  
New York, New York 10036-6799  
T (212) 790-9200

Respectfully submitted,

  
John J. Torrente  
Reg. No. 26,359  
Attorney of Record